

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
LUFKIN DIVISION

MATTHEW MAXEY §  
v. § CIVIL ACTION NO. 9:07cv203  
BNSF RAILWAY COMPANY §

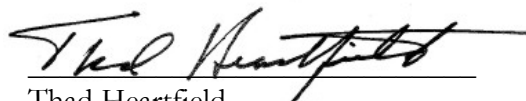
ORDER ADOPTING REPORT AND  
RECOMMENDATION OF UNITED STATES  
MAGISTRATE JUDGE

The [Report and Recommendation](#) of the Magistrate Judge, which contains her findings, conclusions, and recommendation for the disposition of this case has been presented for consideration. The Report and Recommendation recommends that Plaintiff's Unopposed Motion for Non-Suit Without Prejudice ([document #16](#)) be granted. No written objections have been filed. The Court therefore adopts the findings and conclusions of the Magistrate Judge as those of the Court.

In light of the foregoing, it is

**ORDERED** that Plaintiff's Unopposed Motion for Non-Suit Without Prejudice ([document #16](#)) is **GRANTED** and the complaint is **DISMISSED** without prejudice. Any motion not previously ruled on is **DENIED**.

**SIGNED** this the 25 day of March, 2008.

  
Thad Heartfield  
United States District Judge